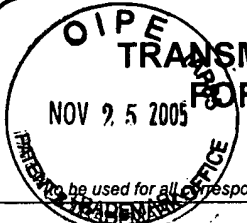
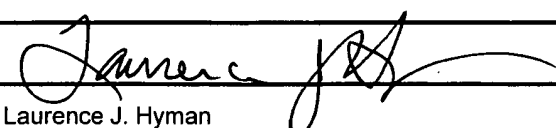


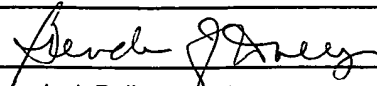
IAP10 Rec'd PCT/PTO 25 NOV 2005

PROL/21 (09-04)

 <p>Do not be used for all correspondence after initial filing)</p>	Application Number	10/527,557	
	Filing Date	March 20, 2005	
	First Named Inventor	Carl N. Kraus et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	11	Attorney Docket Number	015280-474200US

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard; Transmittal Letter - Response to Notification of Missing Requirements Under 35 USC 371 (in duplicate); Declaration (4 sheets); and Copy of Notification of Missing Requirements Under 35 USC 371.		
<table border="1"> <tr> <td>Remarks</td> <td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td> </tr> </table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Laurence J. Hyman		
Date	Nov-21, 2005	Reg. No.	35,551

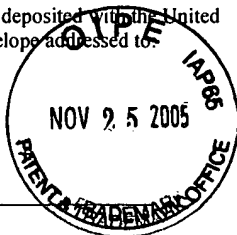
CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Brenda J. Dolly	Date	Nov 21, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

Nov 21, 2005



TOWNSEND and TOWNSEND and CREW LLP

By:

Brenda J. Holly

Brenda J. Holly

PATENT

Attorney Docket No.: 015280-474200US
Client Reference No.: E-286-2002/2-US-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carl N. Kraus et al.

Application No.: 10/527,557

Filed: March 20, 2005

For: AEROSOLIZED CAPREOMYCIN
FOR INHIBITION OF PULMONARY
TUBERCULOSIS

Customer No.: 45115

Confirmation No.: 7454

Examiner:

Art Unit:

**TRANSMITTAL LETTER –
RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35
USC 371**

Attn: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements Under 35 U.S.C. 371 In
The United States Designated/Elected Office (DO/EO/US), dated September 19, 2005, enclosed
are the following to be made of record in the above-identified application:

- 1) Executed Declaration (4 sheets); and
- 2) Notification of Missing Requirements Under 35 U.S.C. 371 In The United
States Designated/Elected Office (DO/EO/US).

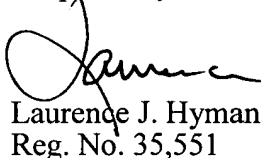
Please charge Deposit Account No. 20-1430 for the following fees:

(g) Missing Parts Surcharge	130
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TOTAL FEES TO BE CHARGED	\$130
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The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,


Laurence J. Hyman
Reg. No. 35,551

Customer No. 45115

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415 576-0300
LJH:bjd



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

015280-474200US
 LJH, SF

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,557	Carl N Kraus	015280-474200US

INTERNATIONAL APPLICATION NO.

PCT/US03/28889

I.A. FILING DATE	PRIORITY DATE
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09/12/2003

09/12/2002

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 7454

371 FORMALITIES LETTER



OC000000016596868

Response Due 11/19/05

Date Mailed: 09/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/10/2005
- Copy of the International Search Report filed on 03/10/2005
- Copy of IPE Report filed on 03/10/2005
- Request for Immediate Examination filed on 03/10/2005
- U.S. Basic National Fees filed on 03/10/2005
- Priority Documents filed on 03/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

BKC

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,557	PCT/US03/28889	015280-474200US

FORM PCT/DO/EO/905 (371 Formalities Notice)